



Accelerate Your Business

Indiana Economic Development Corporation

*One North Capitol, Suite 700
Indianapolis, Indiana 46204
Tel 317.232.8800
Fax 317.232.4146
www.iedc.in.gov*

February 20, 2008

Jennifer Kane
Indiana Natural Resources Commission

Dear Ms. Kane:

Pursuant to IC 4-22-2-28, the Indiana Economic Development Corporation ("IEDC") has reviewed the economic impact analysis for small business associated with rule changes proposed by the Indiana Department of Natural Resources ("DNR") and contained in LSA Document 07-735. The proposed rule makes several amendments and additions to 312 IAC 9-2, 312 IAC 9-4, and 312 IAC 9-5. The provisions of the rule creating a potential impact for small businesses the addition of 312 IAC 9-4-2.5 (conditions under which mute swans are allowed to be possessed and sold) and amendments to 312 IAC 9-10-16 (various requirements associated with dog training ground permits).

DNR estimates that the proposed rule in 312 IAC 9-4-2.5 will impose requirements on an estimated twelve (12) small businesses that breed and sell mute swans. The proposed rule will require the business to pinion the swan by the age of six (6) weeks, keep it in an enclosure that prevents its escape into the wild, keep an inventory of all mute swans possessed, and issue receipts for all mute swans sold, traded, loaned, bartered or gifted. The proposed rule amendment associated with 312 IAC 9-10-16 will impose restrictions on approximately five (5) small businesses that currently have dog training ground permits. The amendment will restrict the amount of land that can be used under this permit and clarify that it cannot be used for a commercial purpose such as a shooting preserve.

It is estimate that the rule governing the possession and sale of mute swans will result in approximately \$80 of annual new administrative costs for small businesses. Business may spend one hour per month completing the required inventory and issuing receipts, totaling \$80 per year (one hour per month times \$8 per hour). There are no new administrative, reporting, record keeping or other administrative costs for small businesses to comply with the rule changes governing the dog training ground permit.

Outside of the costs associated with completing the required inventory and issuing receipts, the DNR expects minor total new costs associated with the rule changes governing possession and sale of mute swans. The small businesses that have dog training ground permits may have a minor economic impact associated with the limitation on the number of acres that they can use as a dog training ground and the possibility of requiring them to get a shooting preserve license which costs \$100.00 per year.

The IEDC does not object to the economic impact to small businesses associated with the rule changes. The requirements for the new rule governing the sale of mute swans are needed to prevent mute swans, which are not a native species, from escaping into the wild, and to prevent them from becoming a nuisance. Mute swans eat the same food as native waterfowl, thereby

reducing the amount of food available for native species of ducks and geese, and sometimes even driving them away from that area. Mute swans can also become very aggressive when defending their nests and attack people, especially on public freshwater lakes.

The restrictions for the rule amendments governing the dog training ground permit are needed to clarify the size of the land that can be used as a dog training area and clarify that the ground cannot be used as a commercial operation such as a shooting preserve. Several dog training ground permit holders are using these areas as shooting preserves, possibly violating state statute in IC 14-22-31, and bypassing county ordinances for shooting preserves. If you have any questions about the comments contained herein please contact me at 232-8962 or rasberry@iedc.in.gov.

Regards,

A handwritten signature in black ink, appearing to read "Ryan Asberry", with a stylized flourish at the end.

Ryan Asberry
Assistant Vice President
Indiana Economic Development Corporation